

104TH CONGRESS
1ST SESSION

S. 150

To authorize an entrance fee surcharge at the Grand Canyon National Park,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 5, 1995

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

A BILL

To authorize an entrance fee surcharge at the Grand Canyon
National Park, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Grand Canyon Public/
5 Private Partnership Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) as of the date of enactment of this Act, the
9 existing infrastructure of Grand Canyon National

1 Park is not adequate to serve the purposes for which
2 the Park was established;

3 (2) improving the infrastructure of the Park
4 would enhance the natural and cultural resources of
5 the Park and the quality of the experiences of visi-
6 tors to the Park;

7 (3) through the development of a general man-
8 agement plan, the Director of the National Park
9 Service has identified reasonable measures that are
10 necessary to improve the infrastructure and related
11 services of the Park, including making improvements
12 to transportation facilities and visitor services, and
13 reusing historic structures appropriately; and

14 (4) in order for the Director to implement the
15 general management plan referred to in paragraph
16 (3) at the Park, it is necessary for the Director to
17 be authorized to—

18 (A) enter into agreements with non-Fed-
19 eral entities to share the costs of the improve-
20 ments; and

21 (B) assess and collect a special surcharge
22 in addition to the entrance fees otherwise col-
23 lected by the National Park Service.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) ELIGIBLE PROJECT.—The term “eligible
2 project” means any project that is eligible for fund-
3 ing in accordance with this Act.

4 (2) FACILITY.—The term “facility” includes
5 any structure, road, trail, utility, or other facility
6 that is used or to be used for or in support of—

7 (A) the protection or restoration of a natu-
8 ral or cultural resource;

9 (B) an interpretive service; or

10 (C) any other service or activity that the
11 Secretary determines to be related to the oper-
12 ation of the Park.

13 (3) FEDERAL SHARE.—The term “Federal
14 share”, with respect to the cost of an eligible
15 project, means the percentage of the cost of the
16 project that is paid with Federal funds, including
17 funds disbursed from the special account.

18 (4) NATIONAL PARK FOUNDATION.—The term
19 “National Park Foundation” means the foundation
20 established under the Act entitled “An Act to estab-
21 lish the National Park Foundation”, approved De-
22 cember 18, 1967 (16 U.S.C. 19e et seq.).

23 (5) NON-FEDERAL SHARE.—The term “non-
24 Federal share”, with respect to the cost of an eligi-
25 ble project, means the percentage of the cost of the

1 project that is paid with funds other than funds re-
2 ferred to in paragraph (3).

3 (6) PARK.—The term “Park” means the Grand
4 Canyon National Park.

5 (7) SPECIAL ACCOUNT.—The terms “special ac-
6 count for Grand Canyon National Park infrastruc-
7 ture improvement” and “special account” mean the
8 account established pursuant to section 5.

9 **SEC. 4. GRAND CANYON ENTRANCE FEE SURCHARGE.**

10 Notwithstanding any other provision of law, the Sec-
11 retary of the Interior shall—

12 (1) authorize the Superintendent of the Grand
13 Canyon National Park to charge and collect, in addi-
14 tion to the entrance fee collected pursuant to section
15 4 of the Land and Water Conservation Fund Act of
16 1965 (16 U.S.C. 460l–6a), a surcharge in an
17 amount not to exceed \$2 for each individual charged
18 the entrance fee; and

19 (2) remit to the special account for Grand Can-
20 yon National Park infrastructure improvement
21 amounts collected as a surcharge under paragraph
22 (1).

1 **SEC. 5. SPECIAL ACCOUNT FOR GRAND CANYON NATIONAL**
2 **PARK INFRASTRUCTURE IMPROVEMENT.**

3 (a) ESTABLISHMENT.—The Secretary of the Treas-
4 ury, in consultation with the National Park Foundation,
5 shall establish in the Treasury of the United States a spe-
6 cial account for Grand Canyon National Park infrastruc-
7 ture improvement.

8 (b) ADMINISTRATION OF ACCOUNT.—The Secretary
9 of the Treasury shall—

10 (1) credit to the special account amounts remit-
11 ted pursuant to section 4(2); and

12 (2) make funds in the special account available
13 for use only as provided in subsection (c).

14 (c) USE OF FUNDS.—

15 (1) IN GENERAL.—The National Park Founda-
16 tion may provide funds from the special account to
17 the Secretary of the Interior, acting through the Di-
18 rector of the National Park Service, to be used to
19 pay the Federal share of the cost of eligible projects.

20 (2) DAILY OPERATIONS.—No funds in the spe-
21 cial account may be used for daily operation of the
22 Park.

23 **SEC. 6. ELIGIBLE PROJECTS.**

24 (a) IN GENERAL.—Subject to subsection (b), any
25 project for the design, construction, operation, mainte-

1 nance, repair, or replacement of a facility within the Park
2 shall be eligible for funding in accordance with this Act.

3 (b) LIMITATION.—A project referred to in subsection
4 (a) shall be consistent with—

5 (1) the laws governing the National Park Serv-
6 ice;

7 (2) the Act entitled “An Act to establish the
8 Grand Canyon National Park in the State of Ari-
9 zona”, approved February 26, 1919 (16 U.S.C. 221
10 et seq.), the Grand Canyon National Park Enlarge-
11 ment Act (16 U.S.C. 228a et seq.), and any related
12 law; and

13 (3) the general management plan for the Park.

14 **SEC. 7. COST-SHARING AGREEMENTS WITH NON-FEDERAL**
15 **ENTITIES.**

16 (a) IN GENERAL.—The Director of the National
17 Park Service, in consultation with the Superintendent of
18 the Grand Canyon National Park, shall enter into a cost-
19 sharing agreement with a non-Federal Government entity
20 for each eligible project for which funds are provided
21 under section 5(c)(1).

22 (b) CONTENT.—Each cost-sharing agreement shall
23 specify the Federal share and the non-Federal share of
24 the cost of the project and shall provide for payment of
25 the non-Federal share by the non-Federal entity.

1 (c) AUTHORITY TO COVER SEVERAL PROJECTS.—A
2 cost-sharing agreement may cover more than 1 eligible
3 project.

4 **SEC. 8. REGULATIONS.**

5 (a) IN GENERAL.—In consultation with the National
6 Park Foundation, the Secretary of the Interior shall issue
7 regulations to carry out this Act.

8 (b) CONTENT.—The regulations shall include—

9 (1) procedures for the management of the spe-
10 cial account;

11 (2) the manner in which funds for payment of
12 the non-Federal share of the cost of an eligible
13 project may be solicited and acknowledged;

14 (3) provisions for ensuring the protection of the
15 natural, cultural, and other resources that the Park
16 was established to protect;

17 (4) provisions to encourage funding from the
18 private sector only for projects that contribute to the
19 restoration and protection of the resources referred
20 to in paragraph (3);

21 (5) protections against the commercialization of
22 the Park;

23 (6) procedures to prevent the creation of a con-
24 flict of interest with respect to an employee of the
25 Federal Government; and

1 (7) provisions for continuous participation of
2 the general public in the oversight of the implemen-
3 tation of this Act.

4 (c) NOTICE AND PUBLIC COMMENT.—The Secretary
5 shall carry out subsection (a) in accordance with section
6 553 of title 5, United States Code, without regard to any
7 applicable exception provided in the section.

8 **SEC. 9. REPORT.**

9 (a) IN GENERAL.—Not later than 5 years after the
10 date of enactment of this Act, the Secretary of the Interior
11 shall submit to Congress a report on the Park infrastruc-
12 ture improvement authority provided in this Act.

13 (b) CONTENT OF REPORT.—The report shall in-
14 clude—

15 (1) an assessment of the effectiveness of the ex-
16 ercise of authority under this Act to improve the in-
17 frastructure of the Park; and

18 (2) any recommended legislation with respect
19 to—

20 (A) the surcharge authorized under section
21 4;

22 (B) the special account;

23 (C) the use of the special account for fund-
24 ing eligible projects; or

1 (D) any other matter that the Secretary
2 determines to be related to the authority pro-
3 vided under this Act.

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